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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. CR05-064-RSL  
10 v. )  
11 OTUMFOE JAY CARPENTER, ) SUMMARY REPORT OF U.S.  
12 Defendant. ) MAGISTRATE JUDGE AS TO  
ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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14 An initial hearing on supervised release revocation in this case was scheduled before me  
15 on March 14, 2011. The United States was represented by AUSA Francis Franze-Nakamura and  
16 the defendant by Lee Covell. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about June 30, 2005 by the Honorable Robert S.  
18 Lasnik on a charge of Distribution and Possession with Intent to Distribute Cocaine, and  
19 sentenced to eighty-three months and 26 days custody, six years supervised release. (Dkt. 63.)

20 The conditions of supervised release included the standard conditions plus the  
21 requirements that defendant submit to mandatory drug testing, participate in a mental health  
22 program, abstain from alcohol, participate in a substance abuse program, submit to search,

01 provide his probation officer with access to financial information upon request, be prohibited  
02 from incurring new credit obligations or opening new lines of credit, maintain a single checking  
03 account for all financial transactions, participate in a home confinement program with electronic  
04 monitoring, provide information about any business interests, be prohibited from possessing any  
05 false identification documents, and notify his probation officer of any material change in  
06 circumstances that might affect his ability to pay restitution.

07 In an application dated January 12, 2011 (Dkt. 79,80), U.S. Probation Officer Jennifer  
08 Van Flandern alleged the following violations of the conditions of supervised release:

09 1. Using alcohol on November 19, 2010, in violation of the special condition  
10 prohibiting the use of alcohol.

11 2. Associating with Ronald Oakley on January 8, 2011, a convicted felon, without  
12 the permission of the probation officer, in violation of standard condition 9.

13 3. Failing to report for substance use testing on January 10, 2011, in violation of the  
14 general condition that he submit to drug testing.

15 4. Failing to notify the probation officer within ten days of a change of residence,  
16 on or before January 10, 2011, in violation of standard condition six.

17 Defendant was advised in full as to those charges and as to his constitutional rights.

18 Defendant admitted the alleged violations and waived any evidentiary hearing as to  
19 whether they occurred.

20 I therefore recommend the Court find defendant violated his supervised release as  
21 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next  
22 hearing will be set before Judge Lasnik.

01 Pending a final determination by the Court, defendant has been detained.

02 DATED this 14th day of March, 2011.

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04 Mary Alice Theiler  
05 United States Magistrate Judge

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07 cc: District Judge: Honorable Robert S. Lasnik  
08 AUSA: Frances Franze-Nakamura  
09 Defendant's attorney: Lee Covell  
10 Probation officer: Jennifer Van Flandern  
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